

REMARKS

The amendment of claim 24 to recite that the wood melt has a "low degree of polymerization and increased plasticization compared to the original state of the wood", is supported in the substitute specification submitted with the Amendment mailed April 7, 2003 on page 6, lines 4-15 and in the original specification on page 3, third full paragraph.

Reconsideration of this application, as amended, is respectfully requested.

Claim 24 has been rejected under 35 U.S.C. 112, first paragraph for the stated reason that the language added to claim 24 by the Amendment After Final Rejection mailed June 28, 2005 is not supported by the "instant specification" on page 5, line 17 to page 6, lines 10-16 cited in the remarks of the Amendment. Because this rejection was apparently mistaken, a telephone interview was arranged on December 6, 2005 with the Examiner who stated that he inadvertently referred to the original English language translation rather than the substitute specification in making the rejection. These facts are confirmed by the Interview Summary of December 6, 2005. Since the cited portions of the substitute specification in fact support the amendment, the rejection is not warranted and should be withdrawn.

Claims 24-31 have been separately rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto, U.S. Patents 5,488,685 and 5,784,805 respectively. As pointed out in the previous Amendment mailed June 28, 2005, the

disclosures of these patents are substantially identical, with both patents issued from applications which are successors of the abandoned application Ser. No. 08/033,155, and both describing a method of drying wood by contacting it with a vaporized mixture of chlorinated hydrocarbon and water to melt the oil and fat contents of the cell membrane, including lignin, (but not cellulose) and perforating the membranes to drain the water in the cells and facilitate the drying of the wood.

As in the previous Office Action, the rejections which are similar again take the position that the method limitations, recited in the claims, do not impart any patentability to the claimed product and, in effect, dismiss the advantageous properties resulting from the recited method. It is submitted, however, that such properties are inevitably present in the presently claimed product resulting from the recited method of production, as supported by the disclosure, and that such properties patentably distinguish the product over that of the Hashimoto patents, which do not disclose the same method steps.

More specifically, the following points should be considered.

The present invention is a product made by a method which includes the formation of a melt including cellulose and hemicellulose resulting from the melting of the wood by the increased temperature caused by the high energy input into the wood components resulting, for example, from the present inventor's use of laser light, as supported in the article of Back, E.L. cited on page 3, lines 7-11

of the substitute specification. This is not disclosed in the Hashimoto patents wherein the cellulose of the treated wood maintains its basic structure.

The presently claimed product is also free from unsightly pyrolytic degradation products due to its short exposure (up to 50 ms.) to high energy laser light as also taught by the previously cited Back, E.L. article. This feature is not mentioned in the Hashimoto patents, and is significant in the present invention mainly in connection with the complete melting of wood, including cellulose and hemicellulose, not contemplated by the Hashimoto patents.

The molten wood resulting from the recited method steps of the present claims has a low degree of polymerization and increased plasticization making it susceptible for the joining of wood components by welding or incorporation of reinforcements into the melt, which is not possible with the products of the Hashimoto patents. Furthermore, the solidified wood melt has altered properties in geometrically defined near surface areas, such as increased luster, hardness and abrasion resistance, properties not present in the Hashimoto products.

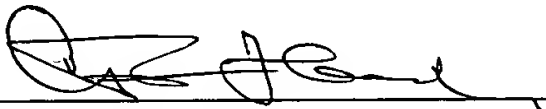
Applicant respectfully requests a three month extension of time for responding to the Office Action. The fee of \$1,020.00 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

This application is now thought to be in condition for allowance and such action at an early date is earnestly solicited.

Respectfully submitted,

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